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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--|-------------|----------------------|---------------------|------------------|
| 09/483,745 | 01/17/2000 | Loredana Abramo | Abramo-1 | 8778 |
| 7590 | 10/06/2003 | | EXAMINER | |
| FAY, SHARPE, FAGAN, MINNICH & McKEE, LLP 1100 SUPERIOR AVENUE SEVENTH FLOOR CLEVELAND, OH 44114 | | | HUYNH, CONG LAC T | |
| | | | ART UNIT | PAPER NUMBER |
| | | | 2178 | 6 |
| DATE MAILED: 10/06/2003 | | | | |

Please find below and/or attached an Office communication concerning this application or proceeding.

| | | |
|------------------------------|----------------------------|------------------|
| Office Action Summary | Application No. | Applicant(s) |
| | 09/483,745 | ABRAMO, LOREDANA |
| | Examiner Cong-Lac Huynh | Art Unit 2178 |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) Responsive to communication(s) filed on 17 January 2000.

2a) This action is FINAL. 2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) Claim(s) 1-8 is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) Claim(s) _____ is/are allowed.

6) Claim(s) 1-8 is/are rejected.

7) Claim(s) _____ is/are objected to.

8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11) The proposed drawing correction filed on _____ is: a) approved b) disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12) The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All b) Some * c) None of:

1. Certified copies of the priority documents have been received.

2. Certified copies of the priority documents have been received in Application No. _____.

3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a) The translation of the foreign language provisional application has been received.

15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) Notice of References Cited (PTO-892) 4) Interview Summary (PTO-413) Paper No(s). _____.

2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) Notice of Informal Patent Application (PTO-152)

3) Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) Other: _____

DETAILED ACTION

1. This action is responsive to communications: the application filed on 1/17/00.
2. Claims 1-8 are pending in the case. Claims 1 and 7 are independent claims.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-3, 7-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Beierle et al. (US Pat No. 6,552,832 B1, 4/22/03, filed 4/1/99) in view of Probert, Jr. et al. (US Pat No. 6,549,918 B1, 4/15/03, filed 9/21/98).

Regarding independent claim 1, Beierle discloses:

- receiving raw data output from a digital switch (figures 2 and 5; col 2, lines 29-36:
“at least one digital port connected to the digital switch *for receiving digital telephone signals from the digital switch* in a TDM format and for transmitting digital telephone signals in the TDM format to the digital switch ...”)

Beirerle does not explicitly disclose:

- converting said raw data into a format compatible with a predefined spreadsheet program

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- outputting converted data to and storing said converted data in at least one predefined workbook of said spreadsheet program

Probert discloses:

- converting said raw data into a format compatible with a predefined spreadsheet program (figure 2 and col 17-59: the network system includes the dynamic conversion filter driver to convert data from one format to another, including providing data in spreadsheet format where the data to be converted is from the server)

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to have combined Probert into Beierle since Probert has the advantage of converting data in one format to the spreadsheet format applied in the network system, providing a suggestion that such a conversion be applied the network of Beierle for converting the data received from the digital switch.

Beierle and Probert do not disclose outputting converted data to and storing said converted data in at least one predefined workbook of said spreadsheet program. However, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to have modified Beierle and Probert to include said outputting and storing features since it was well known in the art that once the data is converted into a format such as spreadsheet, the data is displayed at the client, which is a form of outputting data, and the data is stored in the memory for later use.

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Regarding claim 2, which is dependent on claim 1, Beierle does not explicitly disclose:

- prior to said receiving, converting and outputting steps, installing said digital switch
- performing said receiving, converting and outputting steps as part of a New Product Introduction test

However, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to have modified Beierle to include installing said digital switch prior receiving, converting and outputting steps since Beierle does disclose that the digital switch *already exists in the system* (figure 5) so that the digital switch can provide data for manipulating later. This inherently shows installing the digital switch in the system prior to performing actions involving with data.

Also, Beierle does not disclose performing said receiving, converting and outputting steps as part of a New Production Introduction test. Instead, Beierle discloses a network system *connected to subscriber terminals* (figure 1).

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to have modified Beierle and Probert to include performing said receiving, converting and outputting steps as part of a New Production Introduction test since it was well known that a subscriber system as in Beierle is for providing subscribers a new product related to the purpose of the subscription. This suggests that the system of Beierle and Probert can provide a new production introduction test to subscribers via steps of receiving, converting and outputting.

Regarding claim 3, which is dependent on claim 1, Beierle does not explicitly disclose:

- prior to said receiving, converting and outputting steps, installing said digital switch (as mentioned in claim 2)
- performing said receiving, converting and outputting steps as part of a Customer Acceptance test

However, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to have modified Beierle to include installing said digital switch (as mentioned in claim 2).

Also, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to have modified Beierle to include performing said receiving, converting and outputting steps as part of a Customer Acceptance test since it was well known that the subscriber system in Beierle was connected to a plurality of subscriber terminals and can often receive the feedback from the subscribers, which are customers. This suggests that the system can provide a customer acceptance test via steps receiving, converting and outputting as part of the test to receive the feedback from customers.

Independent claim 7 is for a system of claim 12, and is rejected under the same rationale.

Regarding claim 8, which is dependent on claim 7, Beierle and Probert does not explicitly disclose the operation of said data receiver, data converter and data output device are adapted to be triggered via a user's "Make Workbook" command. However, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to have modified Probert to include the user's Make Workbook command since it was well known that spreadsheet has the command such as AutoFormat for formatting a workbook, which is a form of the Make Workbook command.

5. Claims 4-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Beierle in view of Probert as applied to claims 1 and 2 above, and further in view of Brown et al. (US Pat No. 5,384,822, 1/24/95, filed 6/30/92).

Regarding claim 4, which is dependent on claim 1, Beierle and Probert do not disclose:

- using the output of said converter as a layout, preparing scripts containing Database Modification Commands
- transferring said scripts to said digital switch
- via said digital switch, executing said scripts to modify a switch database

Brown discloses:

- a network with the digital switch (figure 1)
- a plurality of testing of communication switch where the switch is installed (col 1, lines 1-54)

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- a plurality of test program or scripts are preferably stored in the computer to facilitate testing of the digital switch via the controllable telephone devices (col 3, lines 3-30)
- a test script consists of a sequential set of commands including command messages and status inquiry messages (col 5, lines 25-50)
- executing the script commands and *processing additional commands which may be contained within the script* (col 5, line 62 to col 6, line 40)
- storing the test data in the server (col 6, lines 20-40: "the stored test data is later analyzed ...")

It would have been obvious to an ordinary skill in the art at the time of the invention was made to have combined Brown into Beierle and Probert since Brown provides testing of the installed digital switch, scripts for testing of the digital switch, executing the script commands and processing additional commands which may be contained in the script, and storing the test data. Brown, therefore, suggests preparing scripts containing Database Modification Commands since *the additional commands* in the script can be the Database Modification Commands. Further, the testing of communication switch and the scripts of testing of the digital switch inherently show that the scripts *should be transferred to the digital switch for executing*. Depending on the command, if the script includes the command for modifying the switch database, then the result of the execution would be modifying the switch database.

Claims 5-6 include the same limitations as in claim 4, and are rejected under the same rationale.

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Bailis et al. (US Pat No. 6,307,925 B1, 10/23/01, filed 4/10/96).

Farris et al. (US Pat No. 6,546,003 B1, 4/8/03, filed 11/21/96).

Cho et al. (US Pat No. 6,466,956 B1, 10/15/02, filed 1/21/99).

Paradis et al. (US Pat No. 6,389,407 B1, 5/14/02, filed 12/9/99, priority 9/13/99).

Schawer (US Pat No. 5,953,730, 9/14/99, filed 3/12/97).

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cong-Lac Huynh whose telephone number is 703-305-0432. The examiner can normally be reached on Mon-Fri (8:30-6:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather Herndon can be reached on 703-308-5186. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-9000.

clh
9/24/03



SANJIV SHAH
PRIMARY EXAMINER